

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

A.B.S., as surviving daughter of deceased )  
ANTHONY L. SMITH, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
FRANCIS SLAY *et al.*, )  
 )  
Defendants. )

Case No. 4:12-cv-00202-JCH

***AGREED PROTECTIVE ORDER***

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure and the agreement of the parties:

**IT IS HEREBY ORDERED THAT:**

1. As used in this Order, **ATTORNEYS' EYES ONLY MATERIAL** shall mean and refer to the following:

**City of St. Louis Police Department Internal Affairs File (IAD) 11/039  
pertaining to the December 20, 2011 shooting of Anthony Lamar Smith and all  
associated records and audio/visual recordings, including all records created or  
provided to the City of St. Louis Police Department by the Federal Bureau of  
Investigation ("FBI Material")**

2. All **ATTORNEYS' EYES ONLY MATERIAL** and the facts and information in the **ATTORNEYS' EYES ONLY MATERIAL** shall not be disclosed to any person except as specifically provided for below.
3. **FBI Material** shall not be copied or removed from the custody of the City of St. Louis Police Department. If it becomes necessary for plaintiff's counsel to obtain copies of FBI files, plaintiff's counsel shall move the Court for an order permitting plaintiff's counsel to obtain copies of **FBI Material**.



4. All **ATTORNEYS' EYES ONLY MATERIAL** shall be retained only in the custody of the respective counsel of record, who shall be responsible for restricting disclosure in accordance with the provisions of this Order. Specifically, counsel of record shall retain all **ATTORNEYS' EYES ONLY MATERIAL** within the confines of his/her personal offices, in a secured manner, except as is necessary to conduct the present litigation.
5. All **ATTORNEYS' EYES ONLY MATERIAL** shall be designated as **ATTORNEYS' EYES ONLY MATERIAL** by marking the words "**ATTORNEYS' EYES ONLY MATERIAL.**"
6. Access to **ATTORNEYS' EYES ONLY MATERIAL** shall be limited to counsel of record for the respective parties to this action and regular employees and law clerks of said counsel who are assisting in the prosecution of this litigation, expert witnesses identified by any party, consulting experts, and appropriate court personnel in the regular course of litigation.
7. Disclosure of the **ATTORNEYS' EYES ONLY MATERIAL** to any other persons other than counsel of record in accordance with the terms of this Protective Order must be accompanied by a copy of this Protective Order, and counsel must inform said person(s) of the terms of this Protective Order, and said person(s) must agree to be bound by its terms in order to be permitted access to **ATTORNEYS EYES ONLY MATERIAL.**
8. If it becomes necessary to submit **ATTORNEYS' EYES ONLY MATERIAL** to the Court in connection with any filings or proceedings in this litigation, the party using it shall move the Court to file such **ATTORNEYS' EYES ONLY MATERIAL** under seal with the Clerk of the Court.

9. Nothing in this Order shall be construed to restrict the use or disclosure of any documents which a party or non-party shall have acquired from independent sources.
10. Upon final conclusion of this litigation, counsel to whom **ATTORNEYS' EYES ONLY MATERIAL** has been disclosed shall return such **ATTORNEYS' EYES ONLY MATERIAL**, (and all copies thereof and all other papers containing such **ATTORNEYS' EYES ONLY MATERIAL**) to the party which produced it, or destroy copies of said **ATTORNEYS' EYES ONLY MATERIAL**.
11. In addition to the above, the Metropolitan Police Department of the City of St. Louis shall be permitted to redact dates of birth, social security numbers, personal addresses and personal phone numbers of any and all individual police officers, security officers or witnesses identified in the file. The Metropolitan Police Department of the City of St. Louis shall not be required to produce or identify dates of birth, social security number, or personal phone number or address of police officers, security officers or witnesses.
12. This Order may be modified or amended by agreement of the parties or upon further Order of the Court.

SO ORDERED:

\_\_\_\_\_  
Judge

Dated this \_\_\_\_ day of \_\_\_\_\_ 2018.